

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

Track Three Cases

MDL No. 2804
Case No. 17-md-2804
Judge Dan Aaron Polster

DECLARATION OF STEVEN N. HERMAN IN SUPPORT OF THE PHARMACY
DEFENDANTS' MOTION TO EXCLUDE CERTAIN OPINIONS
AND TESTIMONY OF DR. KATHERINE KEYES

EXHIBIT 33

All opioids: T40.1, T40.2, T40.3, T40.4*									
Deaths due to non-Rx opioids									
Deaths due to Rx opioid overdoses									
Year	County	Population	Deaths	Crude Rate	Deaths	Crude Rate	T40.2-T40.4 minus T40.2 and T40.3 (Deaths that had only T40.1 as a contributing Rx opioid)	% of T40.2-T40.4 deaths that only have T40.1 as a contributing Rx opioid	Estimated number of Rx opioid overdoses
1999	National	279040168	4030	1.444	3442	1.234	588	0.145805707	4030
2000	National	281421906	4400	1.563	3785	1.345	615	0.139772727	4400
2001	National	284968955	528	1.94	4770	1.674	758	0.137120116	5528
2002	National	287625193	7456	2.592	6483	2.254	973	0.130498927	7456
2003	National	290107933	8517	2.936	7461	2.572	1056	0.122987319	8517
2004	National	292805298	9857	3.366	8577	2.929	1280	0.129856954	9857
2005	National	295516599	10928	3.698	9612	3.253	1316	0.120424597	10928
2006	National	298379912	13723	4.599	11589	3.884	2134	0.155503356	13723
2007	National	301233207	14408	4.783	12796	4.248	1612	0.111882288	14408
2008	National	304093866	14800	4.867	13149	4.324	1651	0.11154054	14800
2009	National	306771529	15597	5.084	13523	4.408	2074	0.13297429	15597
2010	National	308745538	16651	5.393	14583	4.723	2058	0.124196745	16651
2011	National	311591917	16917	5.429	15140	4.859	1777	0.105042265	16917
2012	National	313914040	16007	5.099	14240	4.536	1767	0.110389205	16007
2013	National	316128839	16235	5.136	14145	4.474	2090	0.11550	15550
2014	National	318857056	18893	5.925	14838	4.653	4055	0.16243	16243
2015	National	321418820	22598	7.031	15281	4.754	7317	0.16686	16686
2016	National	323127513	32445	10.041	17087	5.288	15358	0.18492	18492
2017	National	325719178	40051	12.296	17029	5.228	23022	0.18434	18434
2018	National	327167434	40893	12.499	14975	4.577	25918	0.16380	16380
2019	National	328235523	44622	13.594	14139	4.308	30483	0.15244	15244
1999	Ohio	11335454	99	0.87336599	81	0.714572173	18	0.181818182	99
2000	Ohio	11353140	152	1.338836657	122	1.07459258	30	0.197368421	152
2001	Ohio	11387404	222	1.949222472	179	1.571912264	43	0.193693694	222
2002	Ohio	11407889	286	2.507037016	238	2.0892757559	48	0.167832168	286
2003	Ohio	11434788	260	2.273763187	224	1.958934438	36	0.138461538	260
2004	Ohio	11452251	376	3.283197338	313	2.733087146	63	0.167553191	376
2005	Ohio	11463320	418	3.646413081	335	2.922364551	83	0.198564993	418
2006	Ohio	11481213	503	4.381070188	406	3.536211723	97	0.192842942	503
2007	Ohio	11500468	534	4.643289299	448	3.895493644	86	0.161048689	534
2008	Ohio	11515391	569	4.941213025	481	4.177018392	88	0.154657293	569
2009	Ohio	11528896	462	4.0073222123	388	3.355456675	74	0.16017316	462
2010	Ohio	11536504	757	6.56177984	654	5.68961758	103	0.15063408	757
2011	Ohio	11544951	818	7.085348392	710	6.149874521	108	0.13202934	818
2012	Ohio	11544225	696	6.02898832	605	5.240715596	91	0.130747126	696
2013	Ohio	11570808	730	6.308980324	603	5.211390596	127	0.162747126	672
2014	Ohio	11594163	1171	10.09990976	694	5.985770599	477	0.16017316	763
2015	Ohio	11613423	1800	15.49930628	780	6.716366053	1020	0.162747126	849
2016	Ohio	11614373	2875	24.75381151	867	7.4548838548	2008	0.162747126	936

2017	Ohio	11658609	3983	34.16359533	947	8.122752894	3036	1016	8.715
2018	Ohio	11689442	3066	26.22879689	571	4.884749845	2495	640	5.475
2019	Ohio	11689100	3327	28.462	477	4.081	2850	546	4.671
1999	Lake County, OH	227605	NA	NA	NA	NA	NA	NA	NA
2000	Lake County, OH	227511	NA	NA	NA	NA	NA	NA	NA
2001	Lake County, OH	227648	NA	NA	NA	NA	NA	NA	NA
2002	Lake County, OH	227747	NA	NA	NA	NA	NA	NA	NA
2003	Lake County, OH	227732	NA	NA	NA	NA	NA	NA	NA
2004	Lake County, OH	227829	NA	NA	NA	NA	NA	NA	NA
2005	Lake County, OH	227647	11	4.832042592	NA	NA	NA	NA	NA
2006	Lake County, OH	22803	14	6.134888674	10	4.382063338	4	12	11
2007	Lake County, OH	228930	14	6.115406456	11	4.804962216	3	17	14
2008	Lake County, OH	229904	15	6.524462384	12	5.219569907	3	22	14
2009	Lake County, OH	229954	11	4.783565409	10	4.384695826	1	19	15
2010	Lake County, OH	230041	25	10.86762794	23	9.98217709	2	25	7
2011	Lake County, OH	229885	31	13.48500337	27	11.74500294	4	31	8
2012	Lake County, OH	229582	26	11.324929565	25	10.388935544	1	26	4
2013	Lake County, OH	229857	19	8.2666008866	19	8.266008866	0	22	16
2014	Lake County, OH	229230	22	9.597347642	18	7.852375344	4	22	15
2015	Lake County, OH	229245	31	13.522656044	17	7.415647015	14	45	21
2016	Lake County, OH	228614	80	34.99348246	18	7.873533554	62	20	26
2017	Lake County, OH	230117	81	35.1984483548	19	8.256669433	62	21	14
2018	Lake County, OH	230514	62	26.8964141	13	5.639570699	49	86	22
2019	Lake County, OH	230149	68	29.546	15	6.517516913	53	16	16
1999	Trumbull County, OH	226084	NA	NA	NA	NA	NA	NA	NA
2000	Trumbull County, OH	225116	NA	NA	NA	NA	NA	NA	NA
2001	Trumbull County, OH	223991	NA	NA	NA	NA	NA	NA	NA
2002	Trumbull County, OH	222484	NA	NA	NA	NA	NA	NA	NA
2003	Trumbull County, OH	220889	NA	NA	NA	NA	NA	NA	NA
2004	Trumbull County, OH	219540	17	7.743463606	15	6.832467887	2	17	19
2005	Trumbull County, OH	217926	14	6.42419904	12	5.50645632	2	14	14
2006	Trumbull County, OH	216185	20	9.251335562	18	8.336202095	2	20	20
2007	Trumbull County, OH	214296	30	13.99932803	27	12.59939523	3	30	33
2008	Trumbull County, OH	212191	17	8.011649881	14	6.597829314	3	17	22
2009	Trumbull County, OH	211290	NA	NA	NA	NA	NA	16	16
2010	Trumbull County, OH	210312	31	14.74000533	26	12.36258511	5	31	35
2011	Trumbull County, OH	209264	19	9.079440324	17	8.123709764	2	19	19
2012	Trumbull County, OH	207406	NA	NA	NA	NA	NA	19	10
2013	Trumbull County, OH	206442	14	6.781565767	11	5.328373102	3	14	14
2014	Trumbull County, OH	205175	22	10.72255392	20	9.747776289	2	23	29
2015	Trumbull County, OH	203751	47	23.06737145	21	10.306659788	26	24	82
2016	Trumbull County, OH	201825	83	41.12473678	17	8.423138858	66	20	74
2017	Trumbull County, OH	200380	97	48.40802475	16	7.94828825	81	19	91
2018	Trumbull County, OH	198627	69	34.73847966	15	7.551843405	54	18	53
2019	Trumbull County, OH	197974	88	44.45	10	5.051168335	78	13	41